

RESOLUTION NUMBER R- 311973

DATE OF FINAL PASSAGE SEP 25 2018

ITEM #202B

9/17/18

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN AMENDMENT TO THE MIDWAY-PACIFIC HIGHWAY COMMUNITY PLAN, THE GENERAL PLAN, AND THE CITY'S CERTIFIED LOCAL COASTAL PROGRAM FOR THE MIDWAY-PACIFIC HIGHWAY COMMUNITY PLAN UPDATE.

WHEREAS, on April 12, 2004, the City Council adopted Resolution No. 299076 initiating an amendment to the Midway/Pacific Highway Corridor Community Plan and Local Coastal Program Land Use Plan (Midway/Pacific Highway Corridor Community Plan) with direction to: (1) remove the Bay-to-Bay concept from the community plan; (2) incorporate an alternative strategy for open space and recreation, including development of several parks to be linked by pedestrian/bike routes; (3) incorporate architectural and landscaping guidelines similar to those identified in the North Bay Conceptual Plan; (4) identify portions of the community where mixed-use, urban, transit-oriented development should be encouraged; and (5) make other appropriate changes needed to bring the community plan up to date with relevant community and redevelopment goals; and

WHEREAS, on July 22, 2008, the City Council adopted Resolution No. 303966 initiating an update to the Midway/Pacific Highway Corridor Community Plan and corresponding amendments to the City's General Plan; and

WHEREAS, on September 17, 2018, the City Council of the City of San Diego held a public hearing for the purpose of considering amendments to the Midway-Pacific Highway Community Plan, General Plan, and Local Coastal Program, and other actions associated with the comprehensive update to the Midway-Pacific Highway Community Plan; and

WHEREAS, the current Midway/Pacific Highway Corridor Community Plan was adopted in 1991 and amended in 1999 and 2006; and

WHEREAS, the Planning Commission of the City of San Diego held a public hearing on April 26, 2018, to consider the proposed Midway-Pacific Highway Community Plan; and

WHEREAS, the Planning Commission recommended certification of Final Environmental Impact Report Project No. 561546/SCH No. 2015111013 prepared for the proposed Midway-Pacific Highway Community Plan; and

WHEREAS, the Planning Commission found, based on its hearing record, that the proposed Midway-Pacific Highway Community Plan is consistent with and implements the City of San Diego's General Plan; that the proposed plan helps achieve long-term community and city-wide goals; and that the proposed plan implements the City Council's direction in its 2004 initiation of an amendment and 2008 initiation of an update to the Midway/Pacific Highway Corridor Community Plan; and

WHEREAS, the proposed Midway-Pacific Highway Community Plan was submitted to the San Diego County Regional Airport Authority, serving as the Airport Land Use Commission (ALUC), for a consistency determination with the Airport Land Use Compatibility Plan for San Diego International Airport (SDIA ALUCP); and

WHEREAS, on February 7, 2018, the ALUC determined that the proposed Midway-Pacific Highway Community Plan is conditionally consistent with the SDIA ALUC, with the condition that the City refer all land use projects to the ALUC for determination of consistency with the SDIA ALUCP until such time as the ALUC determines that the City has incorporated the noise and safety policies and standards of the SDIA ALUCP into the City's Municipal Code; and

WHEREAS, the City Council has considered the Planning Commission record and recommendation as well as the maps, exhibits, and written documents contained in the file for the Midway-Pacific Highway Community Plan on record in the City of San Diego, and has considered the oral presentations given at the public hearing; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego that it adopts the Midway-Pacific Highway Community Plan, which is also an amendment to the City's certified Local Coastal Program, a copy of which is on file in the Office of the City Clerk as Document No. RR- 311973.

BE IT FURTHER RESOLVED, by the City Council of the City of San Diego that it adopts the amendment to the General Plan, a copy of which is on file in the Office of the City Clerk as Document No. RR- 311973.

BE IT FURTHER RESOLVED, that prior to becoming effective, this resolution shall be submitted to the San Diego County Regional Airport Authority (SDCRAA) for a consistency determination.

BE IT FURTHER RESOLVED, that if the SDCRAA finds this resolution consistent with the Airport Land Use Compatibility Plan (ALUCP) for San Diego International Airport (Lindberg Field), this resolution shall take effect and be in force on the thirtieth day from and after the finding of consistency, except that the provisions of this resolution inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment, shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

BE IT FURTHER RESOLVED, that if the SDCRAA determines that this resolution is inconsistent or conditionally consistent, subject to proposed modifications, with the ALUCP for Lindberg Field, the resolution shall be submitted to the City Council for reconsideration.

BE IT FURTHER RESOLVED, that if the SDCRAA determines that this resolution is conditionally consistent with the ALUCP for Lindberg Field, but that consistency is subject to proposed modifications, the City Council may amend this resolution to accept the proposed modifications, and this resolution as amended shall take effect and be in force on the thirtieth day from and after its final passage, except that the provisions of this resolution as amended inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

BE IT FURTHER RESOLVED, that a proposed decision by the City Council to overrule a determination of inconsistency or to reject the proposed modifications for a finding of conditional consistency shall include the findings required pursuant to Public Utilities Code section 21670 and require a two-thirds vote; the proposed decision and findings shall be forwarded to the SDCRAA, California Department of Transportation, Division of Aeronautics, and the airport operators for Lindberg Field; and the City Council shall hold a second hearing not less than 45 days from the date the proposed decision and findings were provided, at which hearing any comments submitted by the public agencies shall be considered and a final decision to overrule a determination of inconsistency shall require a two-thirds vote.

BE IT FURTHER RESOLVED, that if the City Council makes a final decision to overrule a determination of inconsistency, resolution shall take effect and be in force thirtieth day from and after that final decision, except that the provision of this resolution inside the Coastal Overlay Zone, which are subject to California Coastal Commission jurisdiction as a City of San Diego Local Coastal Program amendment shall not take effect until the date the California Coastal Commission unconditionally certifies those provisions as a local coastal program amendment.

APPROVED: MARA W. ELLIOTT, City Attorney

By Shannon M. Thomas
Shannon M. Thomas
Senior Deputy City Attorney

SMT:als
06/13/2018
Or.Dept: Planning
Doc. No.: 1745404

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 17 2018.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 9/25/18
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on SEP 17 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 25 2018.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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